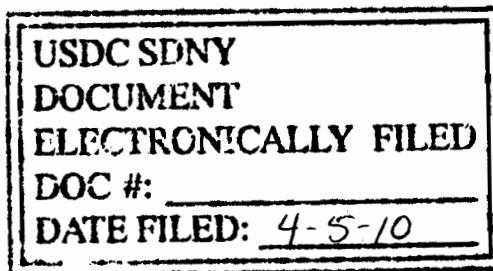


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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IN RE REFCO SECURITIES LITIGATION :
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07 MDL 1902 (JSR)

IN RE AXIS REINSURANCE COMPANY REFECO :
RELATED INSURANCE LITIGATION :
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Applies To:

07 Civ. 7924

ORDER

JED S. RAKOFF, U.S.D.J.

On March 8, 2010, Special Master Daniel J. Capra issued a Report and Recommendation in the above-captioned case recommending that plaintiff AXIS Reinsurance Company's motion to reconsider Judge Lynch's August 17, 2009 denial of partial summary judgment be granted, that the motion for partial summary judgment be denied, and that the request for attorneys' fees and costs incurred in connection with the motion be denied. On March 19, 2010, Special Master Capra issued an order making two clerical corrections to the Report and Recommendation. Because no objections to either the original or corrected Report and Recommendation have been filed, the Court hereby

adopts by reference the Report and Recommendation, grants the motion for reconsideration, and denies the motion for partial summary judgment and the request for attorneys' fees and costs.

SO ORDERED.



JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
April 2, 2010